

LYN175

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MARC S. KIRSCHNER,
as Trustee of the Refco Private Actions Trust,

Plaintiff,

v.

PHILLIP R. BENNETT, SANTO C. MAGGIO,
ROBERT C. TROSTEN, MAYER, BROWN,
ROWE & MAW LLP, GRANT THORNTON LLP,
and ERNST & YOUNG US LLP,

Defendants.
-----X

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: 07-CV-8165 (GEL)
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: **STIPULATION AND ORDER**
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IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned parties to the above-captioned action ("Action"), as follows:

- 1) Plaintiff shall file its Motion to Remand on or before October 17, 2007, pursuant to 28 U.S.C. § 1447.
- 2) Defendants shall file their respective oppositions within thirty (30) days of the filing of Plaintiff's Motion to Remand.
- 3) Plaintiff shall file reply papers within thirty (30) days after Defendants have filed their respective oppositions to Plaintiff's Motion to Remand.
- 4) This stipulation may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same agreement, and a facsimile, which shall have the same force and effect as an original signature, may be filed in place and instead of the original.

Dated: October 8, 2007
New York, New York

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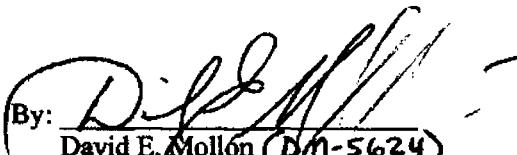
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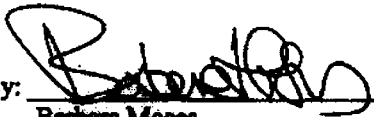
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SO ORDERED.


Hon. Gerard E. Lynch
United States District Judge

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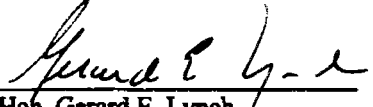
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United States District Judge

10/10/07